

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM LAIL,) Case No.: 1:20-cv-1349 JLT
Plaintiff,)
v.) ORDER GRANTING THE COMMISSIONER'S
COMMISSIONER OF SOCIAL SECURITY,) REQUEST FOR A FURTHER EXTENSION OF
Defendant.) TIME
) (Doc. 18)
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On August 9, 2021, the parties stipulated for the Commissioner to have an additional extension of 30 days to file a response to Plaintiff's opening brief. (Doc. 19.) The Scheduling Order allows for only one extension of 30 days by the stipulation of the parties. (Doc. 5 at 3.) Beyond the single extension by stipulation, "requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause." (*Id.*)

Chantal Jenkins, counsel for the Commissioner, reports that she "was unexpectedly out of the office for a week in July due to physical injury." (Doc. 18 at 2.) This was the reason given for the first extension was requested at the beginning of July, when counsel requested an extension of thirty days. (See Doc. 16 at 1.) However, Ms. Jenkins also reports that she "currently has 8 other briefs in social security cases due within the next month and an oral argument before the Ninth Circuit." (Doc. 18 at 2.) Further, Plaintiff's counsel has indicated he does not oppose the requested extension, and it does not appear Plaintiff would suffer any prejudice as a result. Accordingly, the Court **ORDERS**:

1. The request for a further extension of time (Doc. 18) is **GRANTED**;
 2. The Commissioner **SHALL** file a response to Plaintiff's opening brief no later than **September 10, 2021**; and
 3. The parties are reminded that any additional requests for an extension of time shall be made by written motion, and supported by good cause.

IT IS SO ORDERED.

Dated: August 10, 2021

/s/ Jennifer L. Thurston

CHIEF UNITED STATES MAGISTRATE JUDGE